

**APRIL 3<sup>rd</sup>, 2006**

**UTICA, NEW YORK**

**HON. DAVID N. HURD, Presiding**

**Clerk: Craig B. Minor**

**Steno: Nancy Freddoso**

9:25 A.M. IN CHAMBERS

Sheila Hackert, etc., et ano.,

vs.

First Alert, Inc.

1:02-CV-216

CONFERENCE/Ct. & counsel meet & discuss jury selection, trial procedure and duration.

Appearances: James Fetterly, James Hacker & Sally Silk for pltfs, James Heller, Neil Goldberg & Terry Henry deft

9:45 A.M. Recessed

9:50 A.M. COURT IN SESSION

*Jury selection begins...* Judge Hurd conduct voir dire examination of prospective jurors.

11:45 A.M. Jury drawn and sworn. Remaining jurors excused w/thanks of the Court–Recessed.

11:55 A.M. COURT IN SESSION w/jury

Judge Hurd states his opening instructions to the jury.

12:31 P.M. Recessed

1:30 P.M. COURT IN SESSION w/jury

Atty. Fetterly states his opening argument on behalf of plaintiffs

3:00 P.M. Recessed

3:15 P.M. COURT IN SESSION w/o jury

Deft's motion for a mistrial–DENIED.

3:20 P.M. Jury enters Courtroom.

Atty. Heller states his opening argument on behalf of defendant

4:15 P.M. Jury excused until 4/4/06

Deft's motion to strike trial testimony of firefighters at trial–DENIED.

4:30 P.M. Adjourned to 4/4/06